

21.09.2023
Court No. 19
Item no.204
CP

CO/2465/2023

DR. ASOK KUMAR BOSE AND ANR
VS
MRINAL KANTI DAS

Ms. Amrita Panja Moulick

.....for the petitioners.

The petitioners pray for expeditious disposal of the Title Suit No. 3499 of 2008, which is pending before the learned Civil Judge (Senior Division) 8th Court at Alipore. Learned advocate for the petitioners relies on an earlier order of this court, by which the learned Trial Judge had been directed to dispose of the suit expeditiously within a year from the next date fixed.

The prayer of the petitioners is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the suit within a year from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

As it is submitted that the presiding officer is absent, the learned Judge-in-charge is requested to

comply with this order, preferably within the time frame mentioned hereinabove.

This court has not expressed any opinion on the merits of the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)